

**Final Meeting –  
Approved as is by Chairman 8/6/09**

**POLICE FIRE CITIZEN’S TASK FORCE  
August 4, 2009 – 6:00 p.m.  
4<sup>th</sup> Floor Conference Room, Busch Municipal Building**

**PRESENT:** Jerry Fenstermaker – Chairman, Jerry Harmison - Vice-Chairman, Lorenzo Baldwin, Mary Beth Daniels, Gordon Elliott, Carl Herd, Ken Homan, Bob Horton, Danny Hyde, James Jeffries, Peggy Kubicek, Charles Munsey, David Trippe, Craig Wagoner, Lloyd Young

**CITY COUNCIL MEMBERS:** John Rush, Robert Stephens

**CITY STAFF LIAISONS:** Greg Burris – City Manager, Evelyn Honea – Deputy City Manager, Collin Quigley – Assistant City Manager, Dan Wichmer – City Attorney, Chief Lynn Rowe – Police, Sharon Smith - City Manager’s Office

**ABSENT:** Bob Jones

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Mr. Jerry Fenstermaker called meeting to order. Minutes from July 29 meeting were reviewed by Committee. Mr. Bob Horton made a motion to accept minutes as written. Mr. Jerry Harmison seconded. Minutes approved.

Mr. Fenstermaker reminded the Task Force of Wednesday’s meeting to present a draft of the presentation to City Council. Meeting will start at 6:00 in Council Chambers. Final recommendation will be presented to City Council in a Resolution during the August 10 Council Meeting. He will email a copy of the Executive Summary to the Task Force on Thursday to review. Comments should be forwarded to Sharon Smith, as well as Jerry Fenstermaker and Jerry Harmison.

Mr. Fenstermaker noted a memo from Greg Burris regarding the Disability Plan had been forwarded to the Task Force earlier today that included additional information and clarification of issues that were discussed at the July 29 Task Force meeting. He said he encourages comments and suggestions from Task Force.

Mr. Harmison stated after reviewing the memo from Mr. Burris, he concludes if the Task Force wishes to enact the provision, it would require a majority vote of the citizens in an election. Mr. Harmison gave a scenario of a young officer that would receive a duty-related disability with small children still at home, new mortgage, and various financial obstacles that are associated with younger generation and compared to a retired officer with typically less expenses - it is logical from a legal, as well as a practical, standpoint to eliminate Item #3. *(3. Make such changes as are needed to ensure that under no circumstance may an employee receive a disability pension which is larger than the after-tax pension received by similarly situated retirees who have taken regular retirement.)* that was approved during July 29 Task Force meeting. Mr. Harmison moved to reconsider the motion from last week. Mr. Young seconded motion. **Approved with a vote of (13 Yes, 0 No and 1 Abstain).**

Mr. Harmison moved to re-vote on Item #3 originally passed on July 29. **Failed with a vote of (0 Yes and 14 No).**

Mr. Fenstermaker stated there has been considerable discussion within the Task Force members regarding the Alternative #1 and Alternative #2 that was approved at the July 29 meeting. He opened the topic up for discussion. Mr. Ken Homan asked if anyone needed further clarification on either alternative. Mr. Trippe asked if benefits change on these alternatives. Mr. Homan stated the only issue that is addressed is the employee contribution for a certain period of time - if the contributions as well as the earnings are kept, it would be one rate. If only the earnings are kept in the plan and the contribution is given back, it would be a different rate.

Ms. Mary Beth Daniels moved to reconsider Alternative #1 and Alternative #2 passed on July 29. Mr. Trippe seconded. **The motion to reconsider was approved with a vote of (12 Yes, 1 No and 1 Abstain).**

Mr. Jeffries, during debate on reconsideration of the vote taken July 29 regarding either freezing ROC or increasing the percentage employees contribute to the fund while maintaining the ability to obtain their ROC, questioned the procedure the Task Force took to approve this without significant discussion prior to July 29. Mr. Jeffries moved to table this motion and refer to a subcommittee for further review. Mr. Trippe seconded. Mr. Trippe discussed Mr. Chad Munsey's email regarding Police and Fire "permanent salary give-ups" sent to the Task Force. Some Task Force members had not seen email, so additional copies were distributed to those who requested at meeting. **July 29 motion failed with a vote of (4 Yes and 10 No).**

Mr. Hyde moved to rescind his motion from July 29 regarding Alternative #1 and Alternative #2. Chad Munsey seconded. Several points of order were raised regarding the ability of the Task Force to act on a motion to rescind. Mr. Hyde clarified that his intent was to have the July 29 motion on Alternatives #1 and #2 defeated. Mr. Harmison clarified that in order to agree with Mr. Hyde, the group would need to vote in opposition to the original motion of July 29 **Failed with a vote of (6 Yes and 8 No).**

Mr. Hyde made the following motion: Task Force recommends that the City increase the employee contributions between  $\frac{3}{4}\%$  and 2%. Craig Wagoner seconded. Mr. Hyde stated it is not a great amount that will help the Pension Fund now, but the increase in the contributions – if the ROC stays as is, and the City does not look at anything in changing that - that 2% is basically going back to them when they retire. The earnings on that percentage (increase in contribution) is going to be kept in the fund. That is not a huge benefit to the fund, but it is some. Mr. Fenstermaker clarified there will be an actuarial adjustment coming up. Mr. Hyde stated his motion does not include a timetable. If the City Council wants to wait until then to make an adjustment, that is up to them. Mr. Hyde stated this would include everybody (Tier 1 and Tier 2). Mr. Hyde stated if the Task Force makes a recommendation to Council, they will go through their standard Meet and Confer process. Dan Wichmer confirmed the stated process. **Approved with a vote of (8 Yes, 5 No and 1 Abstain).**

Ms. Kubicek made the following motion as a second alternative: Task Force recommends that City Council make no change regarding Police and Fire benefits and contributions with regard to current Pension Plan contributions. Mr. Munsey seconded. **Failed with a vote of (4 Yes and 10 No).**

Mr. Trippe made the following motion as a second alternative: Task Force recommends that City Council meet and confer with Police and Fire to increase contribution (no range of percentage recommended). Mr. Lorenzo Baldwin seconded. **Failed with a vote of (4 Yes and 10 No).**

Meeting adjourned at 7:55 p.m.